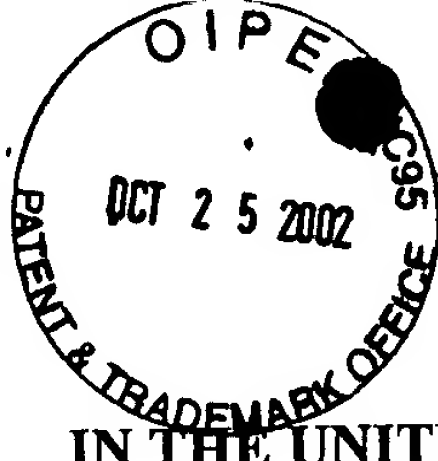


UC061.1CP1CP



RECEIVED

OCT 29 2002

TECH CENTER 1600/2900 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Walker et al.

Appl. No. : 09/065,330

Filed : April 23, 1998

For : PROLACTIN ANTAGONISTS
AND USES THEREOF

Examiner : Saoud, C.

) Group Art Unit 1647

)

) I hereby certify that this correspondence and all
) marked attachments are being deposited with
) the United States Postal Service as first-class
) mail in an envelope addressed to: United States
) Patent and Trademark Office, P.O. Box 2327,
) Arlington, VA 22202, on

) September 20, 2002

)

)

)

Ginger R. Dreger, Reg. No. 33,055

DECLARATION UNDER 37 C.F.R. § 1.132

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

I, Ameae Walker, Ph.D., do hereby declare and say as follows:

1. I am a professor of Biomedical Sciences at the University of California, Riverside, Riverside, CA 92521 and am an inventor of the above-mentioned application. I have published over 50 papers in prestigious journals, including *Proceedings of the National Academy of Sciences* and *Cancer Research* and was a chair of the Prolactin Gordon International Conference in Ventura, CA in 1996, a speaker at a major symposium at the Endocrine Society Meeting in Denver, CO in June 2001, and a keynote speaker at the Japanese Pituitary Society Meeting in Nagoya, Japan in August 2001.

2. I have read and am familiar with the article by Maciejewski et al. (*J. of Biological Chemistry*, 270(46): 27661-27665 (1995)) in which it is asserted that substitution of serine 90 by glutamic acid products a mimic of phosphorylated bovien prolactin. It is my scientific opinion that at the time the invention was made, one of skill in the art would not expect results obtained

Appl. No,
Filed

: 9/065,330
: April 23, 1998

regarding the ability to produce a mimic of phosphorylated prolactin by substitution of serine 90 to be applicable to other, distinct and distant serine residues in prolactin.

3. Based on the statements made in paragraph 2 of this Declaration, in view of the findings presented by Maciejewski et al., it is my considered scientific opinion that without the benefit of the disclosure of the above-identified patent application, one of skill in the art would not expect substitution of serine residues 177 or 179 in human or bovine prolactin with glutamic acid to produce a mimic of naturally phosphorylated prolactin, even if the level of phosphorylation of serine 177 or 179 is similar to that of serine 90.

4. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. I declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 9/13/02

By: Ameae Walker

Ameae Walker, Ph.D.

AMEND
W:\DOCS\BGY\BGY-2598.DOC
082002